



Order Filed on June 4, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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MANUFACTURERS AND TRADERS TRUST  
COMPANY ALSO KNOWN AS M&T BANK  
SUCCESSOR BY MERGER TO HUDSON CITY  
SAVINGS BANK, FSB

In Re:  
Fernando Diaz, Patricia Diaz,  
  
Debtors.

Case No.: 16-15233 RG

Chapter 13

Hearing Date: 6/6/18 @ 10:30 a.m.

Judge: Rosemary Gambardella

**ORDER RESOLVING MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby  
**ORDERED.**

**DATED: June 4, 2018**

A handwritten signature in cursive script, reading "Rosemary Gambardella".  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

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Debtors: Fernando Diaz, Patricia Diaz

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Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MANUFACTURERS AND TRADERS TRUST COMPANY ALSO KNOWN AS M&T BANK SUCCESSOR BY MERGER TO HUDSON CITY SAVINGS BANK, FSB, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 149 Brighton Avenue Belleville NJ 07109, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Benjamin Jamie Ginter, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of May 18, 2018, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments May 2018 with \$111.92 in suspense for a total post-petition default of \$3,818.42 (1 @ 3,930.34, less suspense \$111.92) and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor is to send a lump sum payment of \$3,818.42 directly to Secured Creditor to be received no later than May 31, 2018; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume June 1, 2018, directly to Secured Creditor care of its servicer, Bank of America, N.A., P.O. Box 660933, Dallas, TX 75266 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

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Debtors: Fernando Diaz, Patricia Diaz

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It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.